

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

537H0127

SENATE TAXATION COMMITTEE ENGROSSED NO. **SB 95** - 01/30/2002

Introduced by: Senators Bogue, de Hueck, Koskan, and Staggers and Representatives
Duenwald, Bartling, Fryslie, Jaspers, Jensen, Klaudt, Lintz, and Monroe

1 FOR AN ACT ENTITLED, An Act to revise the total amount of revenue payable to counties
2 from taxes on real property.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 10-13 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any county may decrease the total amount of revenue payable from taxes on real property
7 below the maximum limit allowed by § 10-13-35 in any year. The decrease may not affect the
8 amount of revenue payable that may be raised in accordance with sections 2 and 3 of this Act.

9 Section 2. That chapter 10-13 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 For taxes payable in the year 2003 and each year thereafter, the county auditor shall calculate
12 what the maximum amount of revenue payable the county may request based on growth and the
13 index factor pursuant to § 10-13-35. The calculation shall also show any accumulative percent
14 of the index factor not used by the county. This calculation shall exclude the levy pursuant to



1 § 10-13-36.

2 Section 3. That chapter 10-13 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 The county may increase the total amount of revenue payable from taxes on real property
5 in any year up to the maximum amount calculated in accordance with section 2 of this Act
6 utilizing any unused index factor from the prior three years. However, such an amount may not
7 exceed the prior three year index factor total or ten percent, whichever is less.